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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,633	09/05/2003	Joe A. Salazar	III/001	8121
7590 Thomas J. Brindisi, Esq. Suite B 20 28th Place Venice, CA 90291		02/23/2007	EXAMINER LU, ZHIYU	
			ART UNIT 2618	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/23/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/656,633.	SALAZAR ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Zhiyu Lu	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 24 November 2006.
- 2a) This action is **FINAL**.                                   2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-4,6-13,15,16 and 18-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4,6-13,15,16 and 18-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date. _____	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-11 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salazar et al. (US Patent#5802467) in view of Gonsalves et al. (US2004/0266425).

Regarding claim 1, Salazar et al. teach a modular plug and play communication command, and control unit for use with a plurality of external devices, and comprising:

an external housing (12 of Fig. 2);

an interface module including a command and control input means (14 of Figs. 2-3; 125 of Figs. 4-5);

an input/output module including a transceiver (50 and 60 of Figs. 2-3; 169 and 170 of Figs. 4-5);

a master application/interface controller module connected to said interface module and said input/output module, wherein said master application/interface controller module provides for data processing (30 of Figs. 2-3; 200 of Figs. 4-5);

means (30 of Figs. 2-3; 200 of Figs. 4-5) for generating reprogrammable communication protocols compatible with a plurality of external devices, wherein each communication protocol includes a command code set that defines the signals employed to communicate with each one of said external devices (column 3 lines 23-31, column 5 lines 54-57); and

means for applications processing; wherein said modular communication, command, and control unit is adapted for use in a modular and adaptive communication, command, and control system (30, 84 and 86 of Fig. 3; 200, 300 and 305 of Fig. 5).

But, Salazar et al. do not expressly disclose a plug and play module; a master application/interface controller module connected to said plug-and-play module.

Gonsalves et al. teach an apparatus communicates with external devices with a plug-and-play module (USB, 112 of Fig. 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a USB module taught by Gonsalves et al. into the modular communication command and control unit of Salazar et al., in order to expand communication capability with external devices.

Regarding claim 2, Salazar et al. and Gonsalves et al. teach the limitation of claim 1.

Salazar et al. teach said master application/interface controller can be dynamically programmed with one or more generic application interfaces (column 3 lines 23-31, column 5 lines 54-57).

Regarding claim 3, Salazar et al. and Gonsalves et al. teach the limitation of claim 1.

Salazar et al. teach said master application/interface controller can be dynamically programmed with one or more module-specific application interfaces (column 3 lines 23-31, column 5 lines 54-57).

Regarding claim 4, Salazar et al. and Gonsalves et al. teach the limitation of claim 1.

Salazar et al. teach said master application/interface controller can be dynamically programmed with a set of generic application interfaces and a set of module-specific application interfaces, and wherein said set of generic application interfaces and module-specific application interfaces are configured to permit said communication, command, and control unit to interface with and control multiple external electronic devices (Fig. 1b, column 3 lines 23-31, column 5 lines 54-57, column 20 lines 22-40).

Regarding claim 6, Salazar et al. and Gonsalves et al. teach the limitation of claim 1.

Salazar et al. teach said input/output module includes an RF transceiver and an IR transceiver (50 and 60 of Figs. 2-3; 169 and 170 of Figs. 4-5).

Regarding claim 7, Salazar et al. and Gonsalves et al. teach the limitation of claim 1.

Salazar et al. teach said input/output module includes at least one element selected from the following set: a USB adapter, a RJ11 jack, an AC power line plug, an optic cable adapter, a RF cable adapter, and a point-to-point wire connector (310 of Fig. 4).

Regarding claim 8, Salazar et al. and Gonsalves et al. teach the limitation of claim 1.

Salazar et al. teach said command and control input means includes at least one element selected from the following set: a keypad, a touch screen, and a microphone (Fig. 1a).

Regarding claim 9, Salazar et al. and Gonsalves et al. teach the limitation of claim 1.

Salazar et al. teach said interface module further includes a display means (82 of Fig. 2; 130 of Fig. 4).

Regarding claim 10, Salazar et al. and Gonsalves et al. teach the limitation of claim 1.

Salazar et al. teach said input/output port includes a wired input/output module connected to said master application/interface controller module (310 of Figs. 4-5).

Regarding claim 11, Salazar et al. and Gonsalves et al. teach the limitation of claim 10.

Salazar et al. teach said communication, command, and control unit is a base station (Figs. 4-5).

Regarding claim 15, Salazar et al. and Gonsalves et al. teach the limitation of claim 1.

Salazar et al. teach communication, command, and control unit is adapted for use in one or more information handling/processing/networking, industrial, commercial, medical, military, or security-related applications (column 1 lines 50-53).

Regarding claim 16, Salazar et al. and Gonsalves et al. the limitation of claim 15.

Gonsalves et al. teach further comprising a plug-and-play module adapted to perform one or more information handling/processing/networking, industrial, commercial, medical, military, or security functions and connected to said plug-and-play connector (paragraphs 0020-0021, 0026 and 0039).

3. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salazar et al. (US Patent#5802467) in view of Gonsalves et al. (US2004/0266425) and Lim et al. (US2004/0033052).

Regarding claim 18, Salazar et al. and Gonsalves et al. teach the limitation of claim 17. But, Salazar et al. and Gonsalves et al. do not expressly disclose further comprising a plug-and-play module adapted to perform security functions and connected to said plug-and-play connector.

However, Gonsalves teach connection with a camera (paragraph 0009).

Lim et al. teach usage of a USB security camera (paragraph 0003).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a USB security camera taught by Lim et al. into the modified communication, command, and control unit of Salazar et al. and Gonsalves et al., in order to provide security surveillance.

4. Claims 12-13 and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salazar et al. (US Patent#5802467) in view of Gonsalves et al. (US2004/0266425) and Uchiyama (US2003/0013411).

Regarding claim 12, Salazar et al. and Gonsalves et al. teach the limitation of claim 1. Salazar et al. and Gonsalves et al. also teach wherein said communication, command, and control unit is a handset (Figs. 2-3), but with lack of plug-and-play module.

Uchiyama teaches a cordless handset equips with a USB module (98 of Fig. 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate USB module in cordless handset taught by Uchiyama into the modified communication, command, and control unit of Salazar et al. and Gonsalves et al., in order to expand communication capability with external devices.

Regarding claim 19, Salazar et al. and Gonsalves et al. teach a modular plug and play communication, command, and control system for use with a plurality of external devise, and comprising at least one handset and at least one base station as explained in the response to claim 1 above, wherein Gonsalves et al. teach the base station equips with a USB module.

But, Salazar et al. and Gonsalves et al. do not expressly disclose the handset also includes a plug and play module.

Uchiyama teaches a cordless handset equips with a USB module (98 of Fig. 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate USB module in cordless handset taught by Uchiyama into the modified

communication, command, and control system of Salazar et al. and Gonsalves et al., in order to expand communication capability with external devices.

Regarding claims 13 and 20, Salazar et al., Gonsalves et al., and Uchiyama teach the limitations of claims 12 and 19.

Salazar et al. teach a handset adapted to connect with a base station so as to form an integrated handset/base station pair (Fig. 1b).

Regarding claim 21, Salazar et al., Gonsalves et al., and Uchiyama teach the limitation of claim 19.

Salazar et al. teach said master application/interface controller can be dynamically programmed with one or more generic application interfaces (column 3 lines 23-31, column 5 lines 54-57).

Regarding claim 22, Salazar et al., Gonsalves et al., and Uchiyama teach the limitation of claim 19.

Salazar et al. teach said master application/interface controller can be dynamically programmed with one or more module-specific application interfaces (column 3 lines 23-31, column 5 lines 54-57).

Regarding claim 23, Salazar et al., Gonsalves et al., and Uchiyama teach the limitation of claim 19.

Salazar et al. teach said master application/interface controller can be dynamically programmed with a set of generic application interfaces and a set of module-specific application interfaces, and wherein said set of generic application interfaces and module-specific application interfaces are configured to permit said communication, command, and control unit to interface with and control multiple external electronic devices (Fig. 1b, column 3 lines 23-31, column 5 lines 54-57, column 20 lines 22-40).

### *Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

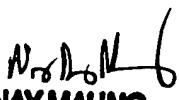
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zhiyu Lu whose telephone number is (571) 272-2837. The examiner can normally be reached on Weekdays: 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Zhiyu Lu  
February 6, 2007

  
**NAY MAUNG**  
**SUPERVISORY PATENT EXAMINER**